

PROB 12A  
(7/93)

**United States District Court**  
**for**  
**District of New Jersey**  
**Report on Offender Under Supervision**

Name of Offender: **Samuel Acchione**

Cr.: 08-00118-01

Name of Sentencing Judicial Officer: The Honorable Faith S. Hochberg

Date of Original Sentence: May 19, 2008

Original Offense: Mail Fraud

Original Sentence: 17 months in BOP custody, three years supervised release. Special conditions: alcohol prohibition/testing, mental health treatment, financial disclosure, no new debt, occupational restriction against employment in the financial field. Restitution in the amount of \$199,280 to be paid at a rate of no less than \$1,000 per month. \$100 Special Assessment.

Type of Supervision: Supervised Release

Date Supervision Commenced: September 16, 2009

**NONCOMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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The offender has violated the supervision condition which states, '**As a condition of supervision, you are instructed to pay restitution in the amount of \$199,280; it shall be paid in monthly installments of no less than \$1,000.**'

As of the date of this petition, Mr. Acchione has paid a total of \$75 toward restitution (he made payments of \$25 in October, November and December of 2009), producing a current balance owed of \$199,205.

## U.S. Probation Officer Action:


Mr. Acchione began his term of supervised release on September 16, 2009, and immediately informed his probation officer that he cannot afford to make restitution payments in accordance with the Court-ordered schedule of \$1,000 per month. The probation officer then conducted a financial investigation, which revealed that his necessary monthly expenses are approximately \$3,500 per month and his household income is approximately \$3,600 per month. Additionally, his debts total \$50,000 and while Mr. Acchione has no known assets in his name, his wife maintains an IRA with an approximate value of \$85,000 (according to documents submitted by Mr. Acchione, this account was opened through her employer several years before the instant offense was committed). Mr. Acchione is currently relying on Social Security and Unemployment benefits for income, as well as his wife's salary as a retail clerk at a bridal supply store (she is paid on commission and her income changes monthly). In essence, Mr. Acchione's financial status appears to be virtually identical to what it was at the time he was sentenced, at which time the Court ordered restitution payments of \$1,000 per month.

We have contacted the Financial Litigation Unit of the U.S. Attorney's Office, which has agreed to depose Mr. Acchione so as to develop further information as to his financial status and what Mr. Acchione may have done with the proceeds of his crime. This deposition will take place no sooner than March. Barring any significant findings from this deposition, the probation officer submits that Mr. Acchione currently possesses the ability to make restitution payments of approximately \$100 per month. He has agreed with this assessment.

Mr. Acchione has otherwise thus far complied with the terms of his supervision. He has enrolled in courses at Burlington County community college and has been directed to report to his probation officer monthly with a record of his job-search activities. He is currently residing with his wife in Mt. Laurel.



Respectfully submitted,

By:   
U.S. Probation Officer

Date: January 27, 2010

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☒ The Court has been informed of Mr. Acchione's current financial status and the fact that he is to be deposed by the U.S. Attorney's Office. He is to make monthly restitution payments at a rate commensurate with his ability to pay and the Court is to be advised of the results of the deposition.

☐ Submit a Request for Modifying the Conditions or Term of Supervision

☐ Submit a Request for Warrant or Summons

☐ Other



Signature of Judicial Officer

2/17/10  
Date